

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re:	David J. Wetherall	Confirmation No:	1582
Application No:	09/825,139	Group:	2153
Filed:	April 3, 2001	Examiner:	Barqadle, Yasin M.
For:	Independent Detection and Filtering of Undesirable Packets		
Customer No.:	29127		
Attorney Docket No.	0016.0007US1		

### APPELLANTS' BRIEF

Mail Stop Appeal Brief- Patents  
**Commissioner for Patents**  
P.O. Box 1450,  
Alexandria, Virginia 22313-1450

Sir:

This is the Applicants' appeal from the final Office Action, mailed February 6, 2007 (Paper No. 20070201) and to the Notification of Non-Complaint Appeal Brief. Dated June 3, 2009 (Paper No. 20090531).

Only a new "Grounds of Rejection to be Reviewed on Appeal" is being provided pursuant to the Notification.

### **Grounds of Rejection to be Reviewed on Appeal**

Claims 1-3, 10-11, 17-19, 22 and 32 were rejected under 35 U.S.C. 103(a) as being unpatentable over Primak *et al.* (USPN 6,598,077) (Primak Patent) in view of Canion *et al.* (U.S. Published Application Publication No. 2002/0108059) (Canion Application).

Claims 4-9, 12-13, 21, and 23-25 were rejected under 35 U.S.C. 103(a) as being unpatentable over the Primak Patent in view of the Canion Application and further in view of Bull *et al.* (USPN 6,799,270) (Bull Patent).

Should any questions arise, please contact the undersigned.

Respectfully submitted,

Houston Eliseeva LLP

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Date: July 3, 2009